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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/648,377 | 08/27/2003 | Seiji Moriya | O3020.0344/P344 | 3718 |

7590 12/17/2004
DICKSTEIN SHAPIRO MORIN &
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Washington, DC 20037-1526

| EXAMINER |
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FUREMAN, JARED

| ART UNIT | PAPER NUMBER |
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2876

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/648,377

Applicant(s)

MORIYA, SEIJI

Examiner

Jared J. Fureman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/27/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Receipt is acknowledged of the IDS, filed on 8/27/2003, and the declaration, filed on 12/18/2003, both of which have been entered in the file. Claims 1-8 are pending.

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --RECORDING MEDIUM READING DEVICE AND TRANSACTION APPARATUS INCLUDING A TRANSPARENT OR TRANSLUCENT RECORDING MEDIUM RECEIVING PORTION--.

Claim Objections

2. Claim 3 is objected to because of the following informalities: Claim 3, line 2, --is-- should be inserted after "device". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 4, and 7 are rejected under 35 U.S.C. 102(a) as being anticipated by Hirasawa et al (WO 02/42990 A1). Please note that while the WO 02/42990 A1 reference is being relied upon for the rejection, the examiner will make reference to Hirasawa et al (US 2004/0007620 A1), since this publication is an English language equivalent to WO 02/42990 A1.

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Hirasawa et al teaches a recording medium reading device (1), and corresponding method of operating a recording medium reading device comprising: a receiving portion (gate frame 4) into which a recording medium (card 2) is received; conveyance means (a carrying mechanism, not shown, see paragraph 17) for conveying the recording medium inside the recording medium reading device; reading means (magnetic head 12, for example) for reading information recorded on the recording medium; and control means (not shown, but necessarily present) for controlling the conveyance means and the reading means, wherein at least a portion (upper and lower frames 4a and 4b) of the receiving portion is an observation enabling member (the upper and lower frames 4a and 4b are transparent), through which a recording medium received into the receiving portion can be visually confirmed from outside the recording medium reading device (see figures 1, 2, paragraphs 1, 17-20, and 32).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 3, 5, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirasawa et al.

The teachings of Hirasawa et al have been discussed above.

Hirasawa et al also teaches wherein the recording medium reading device is housed in a casing (see figure 2), and a portion (upper and lower frames 4a and 4b) of the casing neighboring the recording medium reading device is an observation enabling member.

Hirasawa et al fails to specifically teach a transaction apparatus comprising the recording medium reading device, further comprising input means for receiving input from a user for processing a transaction; and inputting information for processing a transaction.

However, Hirasawa et al teaches that the recording medium reading device is intended for use in, for example, an automated teller machine (see paragraph 1). At the time of the invention, it was well known to those of ordinary skill in the art that automated teller machines include input means for receiving input from a user for processing a transaction.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the device as taught by Hirasawa et al, a transaction apparatus comprising the recording medium reading device, further comprising input means for receiving input from a user for processing a transaction; and inputting information for processing a transaction, since Hirasawa et al suggests using the recording medium reading device in an automated teller machine.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hirasawa et al (US 2004/0007620 A1) is an English language

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equivalent of Hirasawa et al (WO 02/042990 A1). Oki et al (US 6,641,034), Acres et al (US 5,702,304), Hakamada (US 5,272,320), and (JP 2004-185513 A) all teach recording medium reading devices including a transparent or translucent portion near a card receiving portion.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (571) 272-2391. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jared J. Fureman
Jared J. Fureman
Examiner
Art Unit 2876

December 9, 2004